

ARTICLE 33. LANDSCAPING AND SCREENING

33-1 General

This Article of the zoning ordinance of the County of Culpeper shall be known, and may be cited and referred to, as the Culpeper County Landscape Ordinance.

33-2 Purpose and Intent

It is the intent and purpose of this Article to provide for the installation, preservation and maintenance of plant and landscaping materials in order to:

- i. insure development is consistent with the goals of the comprehensive plan related to natural resources and with the plan's environmental and land use standards;
- ii. promote the public health, safety and welfare;
- iii. conserve energy usage by providing shade and wind breaks to reduce the adverse effects of wind and temperature;
- iv. provide pervious areas to reduce run-off, recharge groundwater and protect water quality;
- v. improve air quality;
- vi. minimize noise, dust and glare;
- vii. promote traffic safety by controlling views, reducing glare and defining circulation patterns;
- viii. protect unique or significant landscapes which could otherwise be irretrievably lost;
- ix. protect and preserve the appearance, character and value of properties; and
- x. protect the scenic character and quality of life of Culpeper County.

33-3 Exemptions/Exclusions

Agricultural and single family residential uses are exempt from the provisions and regulations contained in this Article. In calculating the area of a site for the purpose of determining tree canopy coverage requirements, the following areas shall be excluded: areas reserved or dedicated for future street construction or other public or private infrastructure such as drainage facilities, dry ponds, lakes,

ponds, etc.; parcels reserved or used for schools; playing fields and other non-wooded recreation areas; and, other facilities similar in nature.

33-4 General Landscaping Requirements

The requirements under this section shall apply to all landscaping provisions of this Article.

A. Plant Material Specifications.

1. Categories of Plant Material. The following categories of plant material are hereby established: large shade trees, medium shade trees, ornamental trees, evergreen trees, and shrubs.

- a. Large shade trees shall:

- (1) have a mature height over forty-five (45) feet;
- (2) such as, but not limited to, Maples or Oaks; and
- (3) shall not include: Female Ginkgo (*Ginkgo biloba*), Poplar (*Populus* spp.), Silver Maple (*Acer saccharinum*), or Black Locust (*Robinia pseudoacacia*).

- b. Medium shade trees shall:

- (1) have a mature height between thirty and forty-five feet, with a spread of thirty feet; and
- (2) such as, but not limited to, Honeylocusts (*Gleditsia triacanthos* var. *inermis*), Blackgums (*Nyssa sylvatica*) or American Hophornbeams (*Ostrya virginiana*).

- c. Ornamental trees shall:

- (1) have a mature height up to thirty feet, with an equal spread;
- (2) such as, but not limited to, Flowering Crabapple (*Malus* sp.) or Flowering Dogwood (*Cornus florida*); and
- (3) shall not include Bradford Pear (*Pyrus calleryana*). Varieties other than Bradford are acceptable.

- d. Evergreen trees shall:

- (1) have a mature height of at least ten feet;

- (2) such as, but not limited to, American arborvitae (*Thuja occidentalis*), American Holly (*Ilex opaca*), or Red Cedar (*Juniperus Virginiana* – selected cultivars).

e. Shrubs shall:

- (1) have a mature height of at least 30 inches;
- (2) such as, but not limited to, Inkberry (*Ilex glabra*), Sweetshrub (*Calycanthus floridus*), Juniper (*Juniperus* sp.), and Cherrylaurel (*Prunus laurocerasus*); and
- (3) shall include evergreen varieties for at least 50 percent of the required shrubs planted (unless otherwise specified).

2. Size. At the time of planting, (i) all shade trees shall have a minimum caliper of two to two and one half inches measured six inches above final grade, (ii) ornamental trees shall have a minimum caliper of one to one and one half inches measured six inches above final grade, (iii) all evergreen trees shall have a minimum height of 6 feet; and (iv) shrubs shall have a minimum height of 24 inches (unless otherwise specified herein).

3. Condition. All plant material required herein shall meet or exceed the specifications established by the American Nursery and Landscape Association as set forth in American Standard for Nursery Stock (ANSI Z60.1-2004) as may be amended. All plants shall be well formed, vigorous, healthy and free of disease, sunscald, windburn and insects or their eggs.

4. Invasive Species Prohibited. Species designated as *highly* or *moderately invasive* on the Invasive Alien Plant Species of Virginia list published by the Virginia Department of Conservation and Recreation shall not be permitted.

B. Planting Standards. The planting of trees and other plant material shall be done in accordance with either the Standardized Landscape Specifications jointly adopted by the Virginia Nursery and Landscape Association and the Virginia Society of Landscape Designers.

C. Protection of Plant Material. Wheel stops, curbing or other barriers shall be provided to prevent vehicular damage to landscaping by vehicles. Where necessary, techniques shall be taken to protect plant materials against change of grade.

- D. Sight Distance Maintained. Landscaping shall not obstruct sight distance required under the Code of the County of Culpeper or by the Virginia Department of Transportation.

33-5 Tree Canopy

- A. Minimum Tree Canopy Required. Minimum tree canopy coverage shall be provided for all new commercial, industrial, and multi-family residential development in accordance with this section. Tree canopy coverage shall include all areas of coverage by plant material exceeding five feet in height, and shall be measured at twenty years maturity after planting. Tree canopy coverage shall be calculated for new plantings using twenty year tree canopy coverage standards published by the Virginia Nursery and Landscape Association or other set of standards approved by the Zoning Administrator. When a coverage interval is cited in such standards, the smallest coverage figure for each interval shall be used.

All landscape plans shall include the preservation of existing trees, the planting and replacement of trees, or any combination thereof, to the extent that, at maturity of twenty years, a minimum tree canopy shall be provided as follows:

1. Ten percent tree canopy for a site developed with commercial, office, institutional or industrial uses;
 2. Fifteen percent tree canopy for a multi-family residential site developed at a gross density of more than ten but less than twenty dwelling units per acre; and
 3. Twenty percent tree canopy for a multi-family residential development developed at a gross density of ten or fewer dwelling units per acre.
- B. Incentives for Tree Preservation. A bonus credit toward tree canopy requirements will be given for the preservation of existing wooded areas, clusters of trees or Mature Trees (having a circumference of 42" or greater measured five feet above grade), pursuant to the following:
1. The credit provided per Mature Tree will be 2.0 multiplied by the area defined by the boundaries of the existing drip line of the tree.
 2. The credit provided for preservation of existing trees, wooded areas or clusters of trees shall be 1.50 multiplied by the area

defined by the boundaries of the existing drip line of the tree, wooded area or cluster of trees.

3. Credit towards tree canopy requirements shall not be given for any tree deemed to be in poor to fair condition by the Zoning Administrator, nor for any plant designated as *highly* or *moderately invasive* on the Invasive Alien Plant Species of Virginia List published by the Virginia Department of Conservation and Recreation.
- C. Modification. The Approving Authority may grant a modification or waiver to any of the tree canopy requirements for those parcels eligible under Section 15.2-961 of the Code of Virginia for reasonable exceptions to, or deviations from, the requirements of this section to: allow for the reasonable development of farm land or other areas devoid of woody materials; for the preservation of wetlands; or when the strict application of the requirements would result in unnecessary or unreasonable hardship to the developer. The Approving Authority may attach conditions to any modification or waiver to assure the results of the modification or waiver will be in accord with the intent of this Section.

33-6 Tree Preservation

Tree Preservation in Lieu of Landscaping Requirements. Existing trees, clusters of trees or wooded areas are encouraged to be preserved in lieu of additional new plant material in order to satisfy landscaping, screening or buffering requirements.

- A. If existing trees or wooded area are to be preserved, the developer shall provide a tree preservation checklist as part of the site plan to be approved by the Zoning Administrator to insure that the trees specified for preservation will be protected during site construction. Except as otherwise expressly approved by the Zoning Administrator in a particular case, such checklist outlining specific actions to be taken shall conform to Standards and Specifications contained in the Virginia Erosion and Sediment Control Handbook, pages III-393 through III-413, as may be amended.
- B. Tree preservation to be shown on site and construction plans. In addition to any landscape plan required, tree(s) to be preserved on a site, and the methods of protection to be used to assure survival during site development, shall be identified on the site or other construction plan.
- C. Condition of Trees to be Preserved. Individual or clusters of trees to be preserved shall meet the condition requirements of Section 33-5.B(3) herein.

- D. In the event any trees to be preserved under this Section or Section 33-5.B are destroyed or, in the reasonable opinion of the Zoning Administrator, are significantly damaged during clearing or site construction activities, or are later willfully destroyed, injured or removed, the person responsible for such destruction, injury or removal shall replace such trees by planting or preserving one large canopy tree of three inch caliper and one medium canopy or ornamental tree a minimum of six feet in height within every 300 square feet of area in which the injured, removed or destroyed tree or trees stood.

33-7 Street Trees and Shrubs

- A. When Required. Street trees shall be required along existing and proposed public streets in (1) any commercial or industrial development which is subject to site plan approval and (2) all multi-family residential developments.
- B. Specifications. Street trees shall be provided in accordance with the following specifications and requirements:
1. Street trees shall be large shade trees as defined herein.
 2. Street trees shall be planted with even spacing in a row adjacent to the public street right-of-way, on each side. One large shade tree shall be required for every fifty linear feet of road frontage, or portion thereof, if twenty-five feet or more. The Zoning Administrator may approve minor variations in spacing due to site constraints.
- C. Parking Lot Screening. Any parking lot consisting of ten spaces or more that is located or oriented such that vehicles parked within it will be visible from a public street, shall be screened with landscaping that includes a row of shrubs between the parking lot and the street. Such shrubs shall be planted in a single row, spaced at intervals that shall provide a continuous barrier screening the parking from all streets at one year's maturity. Alternate methods of landscaping designed to block light from vehicle headlights and minimize the visual impact of the parking lot such as use of berms or low walls may be substituted, if approved by the Approving Authority. Such screening of parking lots shall not be counted toward the interior landscaping requirement. Such screening is encouraged but not required between parking spaces and accessways for interior circulation in the parking lot or site it serves. If such screening is provided between parking spaces and accessways, it shall be counted toward the interior landscaping requirement.

33-8 Parking Lot Landscaping

A. When Required. All parking lots having fifteen (15) or more parking spaces shall meet the following landscaping requirements:

1. Interior Landscape Area Required. An area equal to five percent of the paved parking and vehicular circulation area shall be landscaped with trees and shrubs. This shall include one large or medium canopy tree per ten parking spaces or portion thereof.
2. Distribution of Landscaping. Interior landscaping shall be located in reasonably dispersed planting islands and perimeter areas within ten feet of the parking lot and shall be designed to provide even distribution of tree planting throughout the parking and vehicular circulation area.
3. Planting Islands. Only islands containing large or medium canopy trees or evergreen trees shall count toward meeting the five percent requirement.
4. Size of Planting Areas. A minimum planting area of 120 square feet of contiguous pervious area shall be provided for each tree.
5. Vehicle Storage Areas. Any area used principally for vehicle storage does not require interior islands if such area is screened from adjacent uses and public streets in accordance with Section 33-9.
6. Vehicle Display Areas. Any area used for vehicle display does not require interior islands but the requisite landscaping equivalent to five percent of the vehicular display area must be provided within perimeter areas of the vehicle display area.

33-9 Screening

A. Purpose. Screening is intended to protect uses by providing landscaped areas of sufficient density and height to divide and shield them from incompatible uses, and to conceal incompatible uses and objectionable features.

B. Composition. When required, screening shall consist of new plantings, existing vegetation, an opaque masonry wall or wooden fence, or combination thereof, to the reasonable satisfaction of the Approving Authority. Where only vegetation is provided, a planting strip of not less than twenty feet in width shall be provided.

(1) Where new plantings are to be installed, they shall consist of (i) two rows of evergreen trees planted ten feet on center and staggered, or (ii) a berm not exceeding a slope of 2:1 with two rows of evergreen shrubs planted twenty feet on center and staggered.

(2) Alternate methods of vegetative screening may be approved by the Approving Authority as follows: one large shade tree, one medium shade tree and one evergreen tree, per 500 square feet of area, and one shrub per 50 square feet of area.

(3) Where a wall or fence is provided, it shall be a minimum of six feet in height and evergreen plantings shall be required at approximately ten foot intervals along the side of any such wall or fence facing a public street or the use for which the screening shall benefit.

C. When Required. Screening shall be provided as required under Table 33-1 and generally as follows:

1. Non-residential buildings, multi-family residential buildings and parking lots shall be screened from adjacent land planned or zoned for agricultural, rural area and residential uses.
2. Objectionable features, including the following and other similar features, shall be screened from (i) adjacent parcels or areas of land planned or zoned for residential or agricultural uses, and (ii) views from public streets:
 - a. loading and service areas;
 - b. refuse or trash collection or storage areas serving any commercial or industrial development or residential development of three units or more;
 - c. vehicle storage and other outdoor storage yards;
 - d. pump stations, well houses, and similar utility uses; and
 - e. tower sites including communication towers and accessory structures and equipment.
3. All utility or mechanical equipment (i.e., meters, pedestals, transformers, air compressors, etc.) not entirely within a screened service area shall have a natural evergreen planting screen provided. Such screen shall be planted and installed so as to not hinder access to or maintenance of such utility or mechanical equipment. In lieu of such screening, utility or mechanical

equipment may be shielded from view by any structure architecturally compatible with an adjacent building.

4. Screening of Historic Properties viewshed. The Approving Authority may require screening of any use, or portion thereof, upon determination that the use would otherwise have a direct negative visual impact on a property designated as historic by its inclusion in the Comprehensive Plan, Historic Resources chapter.

33-10 Encroachment into Screens

Limited encroachments into a screen or buffer to provide for sidewalks, bike paths, or utility easements may be permitted, provided that the planting requirements are fully met, trees are not planted within any actual utility easement, and such encroachments are compatible with and do not impair or diminish the purposes herein. Where possible, such encroachments shall be at a 45° angle and not parallel or perpendicular to the screen. Vehicular accessways or entrances may encroach into or cross a screen.

33-11 Maintenance Standards and Requirements

The landowner shall be responsible for the general maintenance, including but not limited to watering of all landscaped areas required by this Article, and the timely repair and replacement of all required plant and landscape materials in such landscaped areas.

- A. Plantings shall be kept mulched to prevent weed growth and to retain soil moisture;
- B. Plant material shall be pruned to maintain healthy and vigorous growth with all pruning performed in accordance with generally accepted maintenance standard practices.
- C. All turf areas shall be kept mown.
- D. All plant and landscape material and landscaped areas shall be kept free of refuse and debris.
- E. The landowner shall maintain any plant material required by this ordinance and any plant material that dies must be replaced in kind, or with a suitable substitute as approved by the Zoning Administrator. Preserved existing trees,

that subsequently die, shall be replaced by new trees of a caliper and/or height as would be required by this Article.

- F. This Section, 33-11, of this Article shall apply to all landscaping which has been included as part of any site plan approved in accordance with Article 20, both prior to and subsequent to the adoption of this Article.

33-12 Landscape Plan

- A. When Required. Whenever a site plan is required by this chapter, a landscape plan shall be required.
- B. As Part of a Special Use Permit, Variance or Rezoning. The Board of Supervisors or the Board of Zoning Appeals may require a landscape plan as a condition of any special use permit, or variance, or may accept a proffered condition requiring a landscape plan as a part of a conditional rezoning application.
- C. Who Shall Prepare. Landscape plans shall be prepared and sealed by: a certified landscape architect as defined under Section 54.1-400 of the Code of Virginia; a landscape designer certified by the Virginia Society of Landscape Designers; an arborist certified by the International Society of Arboriculture; or a horticulturalist certified by the Virginia Nursery and Landscape Association. This requirement can be waived by the Approving Authority.
- D. Contents. A landscaping plan, including, without limitation, a tree canopy, tree preservation, parking lot landscaping, or screening plan, shall:
 - 1. Be drawn to a scale of 1" = 20', or other more appropriate scale as approved by the Zoning Administrator;
 - 2. Indicate existing landscape features on the site including, but not limited to:
 - a. Existing wooded area indicated by general type (evergreen or deciduous) and location of tree drip line;
 - b. Small groups of trees and any individual trees of forty-two (42) inch circumference or greater, or ornamental trees of four inch caliper, indicated by common name, approximate caliper and location;
 - c. Natural features which distinguish the site, such as prominent rock outcroppings or water features; and
 - 3. Include dimensions and distances of all existing and proposed structures and physical improvements;

4. Delineate existing and proposed buildings, parking spaces or other vehicular storage or display areas, all vehicular access ways and all public or private streets within or abutting the site;
 5. Include a table of the applicable tree canopy and planting calculations (comparing proposed tree canopy coverage and plantings with requirements under this Article);
 6. Provide the locations, size and description of all proposed plant and landscaping materials;
 7. Contain a schedule of plants proposed, indicating the number proposed, caliper or gallon size, and both common and botanical names and their classification under this Article;
 8. Indicate the number, type and location of trees to be saved; limits of clearing; location and type of protective fencing; grade changes requiring tree wells or retaining walls; and trenching or tunneling proposed beyond the limits of clearing if existing trees or wooded areas are to be preserved in lieu of planting new materials in order to satisfy tree canopy, screening, buffering or other landscaping requirements; and
 9. Include a statement certifying that all minimum standards for landscaping and screening required under this Article have been satisfied.
- E. Waiver of Contents. The Zoning Administrator may modify, or waive any of the contents of a landscape plan in whole or in part upon a finding that requirement of such contents would not promote the purposes of this Article or otherwise serve the public interest.
- F. Review by Approving Authority. In reviewing the landscape plan, the Approving Authority may consider comments from the Virginia Department of Transportation and other relevant governmental or public agencies. Once the landscape plan is approved, no changes shall be made to the plan without approval of the Zoning Administrator.

33-13 Landscape Performance Guarantees

- A. Performance Guarantee Required. A bond, escrow, letter of credit or other performance guarantee, with surety satisfactory to the County shall be furnished to the County by the landowner or developer in an amount sufficient for and conditioned upon installation and maintenance of all required plantings and improvements shown on an approved landscape plan prior to the issuance of final

land disturbance or construction permits. This performance guarantee may, at the discretion of the County, also be used to correct violations for failure to comply with any requirements of this Article or with the approved landscape plan.

- B. Release of Performance Guarantees. This performance guarantee will be released upon acceptance of the site work after the final inspection performed by the County and determination by the Zoning Administrator that all plantings and improvements have been installed and all plantings are in healthy condition, but not sooner than one year from the last planting date.

TABLE 33-1. PROPOSED SCREENING REQUIREMENTS

	<u>A. Type of New Use</u>	<u>B. Abutting Use to Screen From</u>	<u>C. Screen Width</u>
1	Multi-Family Residential	Land designated on the Future Land Use Map or zoned Agricultural, Rural Area or Rural Residential	30' Screen
		Existing Single-Family Residential use	20' Screen
		Existing Commercial Use	20' Screen
		Existing Industrial Use	20' Screen
		Existing Public/Institutional Use	20' Screen

2	Public Institutional Use	Existing Residential (Single or Multi-family)	20' Screen
		Existing Commercial use	20' Screen
		Existing Industrial Use	20' Screen
3	Commercial	Land designated on the Future Land Use Map or zoned Agricultural, Rural Area or Rural Residential	30' Screen
		Residential Zoning District or Use	30' Screen
		Public/Institutional Zoning District or Use	20' Screen
		Existing Industrial Use	20' Screen
4	Industrial	Land designated on the Future Land Use Map or zoned Agricultural, Rural Area or Rural Residential	30' Screen
		Residential Zoning District or Use	30' Screen
		Public/Institutional Zoning District or Use	20' Screen
		Commercial Zoning District or Use	20' Screen

New Use refers to proposed new use requested under a land use development application. Abutting Uses described as “Existing” refer to such uses existing as of the date of submittal of the land development application. Screen width may be reduced by the Approving Authority for good and reasonable cause.